

PROGRAM NARRATIVE**406 Office of the Labor Commissioner****Date:** 01/13/2011**Time:** 11:30:01**Program:** Office of Labor Commissioner**Reporting level:** 00-406-100-00-00-00-00000000**Program Performance Measures**

The department continues to be dedicated to the principles of efficient and effective public service. The department tracks the impact of the strategic changes primarily by monitoring the pending agency caseloads. The department's current caseload is manageable. The average number of days pending has gone down in all areas with the exception of Public Services/Public Accommodations/Credit Transactions. The average number of days pending in this area has risen solely due to two (2) older cases involving issues of accessibility in which the department is working with the Respondent to correct the deficiencies.

Caseload Information as of June 30, 2010:

Pending Employment Discrimination Complaints = 57

Average Age = 69 days

Pending Claims for Unpaid wages = 54

Average Age = 76 days

Pending Claims for Housing Discrimination Complaints = 15

Average Age = 44 days

Pending Public Service/Public Accommodation & Credit Transaction Complaints = 7

Average Age = 206 days

The ongoing objective is for cases in all areas to be current in accordance with the following targets for case closures: 1) complaints of discrimination in employment, public services, public accommodations, and credit transactions to be completed within 180 days; 2) claims for unpaid wages to be completed within 90 days; and 3) complaints in housing discrimination to be completed within 100 days.

Program Statistical Data

The program statistical data here are for the 2007-09 biennium unless otherwise noted.

Wage and HourWage Claims

Claims Received: 690

Claims Closed: 692

Average Days to Closure: 81

Total Dollar Amount Collected: \$550,500

Complaint Inquiries

Complaint Inquiries Received: 356

Complaint Inquiries Closed: 352

Total Dollar Amount Collected: \$102,740

PROGRAM NARRATIVE**406 Office of the Labor Commissioner****Date:** 01/13/2011**Time:** 11:30:01**Program:** Office of Labor Commissioner**Reporting level:** 00-406-100-00-00-00-00000000Youth Employment

Total Employment and Age Certificates (work permits) Filed: 2,563

Independent Contractor Verification

Total Applications Reviewed: 14

Total Relationships Verified: 8

Employment Agency Licensing

Agencies Licensed: 2

Sub-Minimum Wage Licenses

Disabled Employees Working Under Sub-Minimum Wage Licenses: 2,086

Vocational Students Working Under Sub-Minimum Wage Licenses: 0

Human RightsEqual Employment Opportunity

New Charges Received: 314

Total Charges Closed: 276

Average Days to Closure: 153

Total Settlement Amount: \$122,452

Housing Discrimination

Complaints Filed: 117

Complaints Closed: 115

Average Days to Closure: 97

Total Settlement Amount: \$25,976

Discrimination in Public Services, Public Accommodations, and Credit Transactions

Complaints Filed: 62

Complaints Closed: 65

Average Days to Closure: 166

Employment Retaliation

Complaints Filed: 42

Complaints Closed: 52

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During the 2009-11 biennium, 84% of the Department of Labor's regular program expenditures are being utilized for staff salaries and benefits. The remaining 16% is being spent on operating expenditures for day-to-day operation of the office (including postage, printing, office supplies, telephone and data processing costs), professional services such as administrative law judges, operating fees for sheriffs' service, travel as necessary for program work (investigations and mediation) and staff training, and proactive educational activities - all of which directly support of the department's programs.

For the 2011-13 biennium, the department projects that 83% of its budget will be spent on salaries and benefits and that 17% will be utilized on operating expenses, primarily in the areas noted above. These percentages are based on the department's base budget request. Should the optional savings package be implemented, the department's operating budget would decrease to 15% of the total budget while the percentage applicable to salaries would change correspondingly to 85%.

Program Goals and Objectives

The Department of Labor has two program areas, Wage & Hour and Human Rights. The goals and objectives of each include:

Wage & Hour

Educate employers and wage earners about labor;

Provide effective and timely investigation of claims for unpaid wages;

Provide effective and timely investigation of complaints alleging violations of labor standards;

Monitor the employment of youth under age 16 to ensure compliance with all youth employment laws;

Review applications for the payment of sub-minimum wages to persons enrolled in vocational programs and persons with disabilities and to issue special licenses to pay sub-minimum wage only where established standards of law are met;

Make accurate and timely determinations of independent contractor status; and

Issue licenses (in limited circumstances) to and review the activities of employment agencies operating in the state to ensure compliance with applicable regulatory provisions.

Human Rights

Educate employers, housing and other service providers, and citizens about rights and responsibilities under ND human rights laws to promote awareness;

Provide effective and timely investigation of complaints alleging discriminatory practices in the state;

Emphasize conciliation to resolve complaints when possible;

Seek remedies for persons determined to have been harmed by discriminatory practices; and

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Conduct studies of the nature and extent of discrimination in the state.

REQUEST DETAIL BY PROGRAM

406 Office of the Labor Commissioner

Bill#: SB2007

Date: 01/13/2011

Time: 11:30:01

Biennium: 2011-2013

Program: Office of Labor Commissioner		Reporting Level: 00-406-100-00-00-00-00000000			
Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
Salaries and Wages					
Salaries - Permanent	890,721	1,103,317	14,930	1,118,247	0
Overtime	32,794	10,000	0	10,000	0
Fringe Benefits	303,917	418,687	13,365	432,052	0
Total	1,227,432	1,532,004	28,295	1,560,299	0
Salaries and Wages					
General Fund	952,211	1,200,373	28,362	1,228,735	0
Federal Funds	275,221	331,631	(67)	331,564	0
Special Funds	0	0	0	0	0
Total	1,227,432	1,532,004	28,295	1,560,299	0
Operating Expenses					
Travel	72,815	72,200	0	72,200	0
Supplies - IT Software	6,239	500	200	700	0
Supply/Material-Professional	11,630	13,200	1,300	14,500	0
Miscellaneous Supplies	2,919	3,815	185	4,000	0
Office Supplies	10,331	8,000	4,000	12,000	0
Postage	13,166	21,000	0	21,000	0
Printing	6,646	7,370	130	7,500	0
IT Equip Under \$5,000	14,737	9,000	1,000	10,000	0
Other Equip Under \$5,000	202	0	0	0	0
Office Equip & Furn Supplies	20,346	2,500	0	2,500	0
Insurance	2,458	1,700	800	2,500	0
Rentals/Leases - Bldg/Land	7,626	7,426	74	7,500	0
Repairs	8,998	3,500	0	3,500	0
IT - Data Processing	30,512	30,192	2,808	33,000	0
IT - Communications	23,795	28,927	73	29,000	0
IT Contractual Svcs and Rprs	6,454	4,000	0	4,000	0
Professional Development	9,138	8,000	500	8,500	0
Operating Fees and Services	32,784	15,000	1,000	16,000	0
Fees - Professional Services	6,728	66,000	1,894	67,894	(43,562)
Total	287,524	302,330	13,964	316,294	(43,562)
Operating Expenses					
General Fund	164,113	221,210	2,138	223,348	(43,562)
Federal Funds	123,411	81,120	11,826	92,946	0
Special Funds	0	0	0	0	0
Total	287,524	302,330	13,964	316,294	(43,562)

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Description	Expenditures 2007-2009 Biennium	Present Budget 2009-2011	Budget Request Change	Requested Budget 2011-2013 Biennium	Optional Request 2011-2013
Total Expenditures	1,514,956	1,834,334	42,259	1,876,593	(43,562)
Funding Sources					
General Fund					
Total	1,116,324	1,421,583	30,500	1,452,083	(43,562)
Federal Funds					
R018 Equal Employ Opp. Comm.	53,951	164,500	(1,993)	162,507	0
R081 Fair Housing	344,681	248,251	13,752	262,003	0
Total	398,632	412,751	11,759	424,510	0
Total Funding Sources	1,514,956	1,834,334	42,259	1,876,593	(43,562)
FTE Employees	11.00	12.00	0.00	12.00	0.00

CHANGE PACKAGE DETAIL**406 Office of the Labor Commissioner**
Biennium: 2011-2013**Bill#: SB2007****Date:** 01/13/2011**Time:** 11:30:01

Program: Office of Labor Commissioner			Reporting Level: 00-406-100-00-00-00-00000000			
Description	Priority	FTE	General Fund	Federal Funds	Special Funds	Total Funds

Base Budget Changes**Ongoing Budget Changes**

A-A 1 Price or Inflationary Adjustments (PIA)		0.00	2,138	11,826	0	13,964
Base Payroll Change		0.00	28,362	(67)	0	28,295
Total Ongoing Budget Changes		0.00	30,500	11,759	0	42,259
Total Base Budget Changes		0.00	30,500	11,759	0	42,259

Optional Savings Changes

A-G 1 3% Optional Savings	1	0.00	(43,562)	0	0	(43,562)
Total Optional Savings Changes		0.00	(43,562)	0	0	(43,562)